

PHILLIP A. TALBERT  
United States Attorney  
DAVID W. SPENCER  
Assistant United States Attorney  
501 I Street, Suite 10-100  
Sacramento, CA 95814  
Telephone: (916) 554-2700  
Facsimile: (916) 554-2900

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JOSE MANUEL CHAVEZ ZEPEDA, and  
DENIS ZACARIAS PONCE CASTILLO  
  
Defendants.

CASE NO. 2:22-cr-00064-JAM

**STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
ORDER**

DATE: July 25, 2023  
TIME: 9:30 a.m.  
COURT: Hon. John A. Mendez

**STIPULATION**

1. By previous order, this matter was set for status on July 25, 2023.
2. By this stipulation, defendants now move to continue the status conference until **September 12, 2023, at 09:00 a.m.**, and to exclude time between July 25, 2023, and September 12, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes more than 5,300 pages of investigative reports, photographs, phone toll records, and other materials, as well as video and audio recordings. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendants desire additional time to review the discovery, to review the charges and potential responses to the charges with their clients, to conduct factual investigation and legal research, and to otherwise prepare for trial.

c) Counsel for defendants believe that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of July 25, 2023 to September 12, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 18, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ DAVID W. SPENCER  
DAVID W. SPENCER  
Assistant United States Attorney

1 Dated: July 18, 2023

/s/ Clemente Jimenez  
Clemente Jimenez  
Counsel for Defendant  
JOSE MANUEL CHAVEZ ZEPEDA

2  
3 Dated: July 18, 2023

/s/ Etan Zaitso  
Etan Zaitso  
Counsel for Defendant  
DENIS ZACARIAS PONCE  
CASTILLO

4  
5  
6  
7  
8 **ORDER**

9 IT IS SO FOUND AND ORDERED.

10  
11 Dated: July 19, 2023

/s/ John A. Mendez  
THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE